

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

I. STATUS OF THE CLAIMS

Claims 2-21 and 23-42 are allowed.

Claims 43 and 44 are amended herein.

In view of the above, it is respectfully submitted that claims 2-21 and 23-44 are currently pending and under consideration.

II. REJECTION OF CLAIMS 43 AND 44 UNDER 35 U.S.C. § 102(B) AS BEING ANTICIPATED BY UDD (USP# 5,455,698)

The amended claim 43 includes a first wording, "shut-down device reducing a power of the optical signal outputted from said optical modulator when receiving a wavelength alarm relating to a wavelength of the light beam" and a second wording, "wherein said light source keeps outputting said light beam when said shut-down device receives said wavelength alarm relating to a wavelength of the light beam."

The optical sender of the amended claim 43 does not shut down the light beam outputted from the light source because the amended claim 43 includes the first and second wordings. That is, the optical sender of the amended claim 43 reduces the power of the optical signal outputted from the modulator.

Since the amended claim 43 includes the second wording, a wavelength of the light beam can be monitored after the shut-down device receives a wavelength alarm relating to a wavelength of the light beam, the optical sender of the amended claim 43 can immediately output the optical signal without reducing the power of the optical signal outputted from the modulator when the shut-down device becomes not receiving a wavelength alarm relating to a wavelength of the light beam.

Udd teaches a secure communication alarm system. In Udd, an output from a harmonic analyzer 2527 is fed into an alarm system 2531, which monitors changes in the alarm system 2531. If a threshold of the alarm system is exceeded, a signal is sent to a light source controller 2533 that shuts down a light source 2507 (see column 20, lines 13-28).

In item 6 on page 5 of the Office Action, the Examiner alleges that the Applicant relies on features that are not recited in the claims. However, Udd does not teach or suggest, "a shut-

down device *reducing* a power of the optical signal outputted from said optical modulator when receiving a wavelength alarm relating to a wavelength of the light beam" (emphasis added). Nothing in the Udd reference teaches or suggests keeping the light source 2507 outputting a light beam, and *reducing* a power of an optical signal outputted from a modulator when the light source controller 2533 receives the alarm.

The Examiner asserts that it is "well-known" that when an optical signal is shut down, power of that signal is reduced. However, Udd does not teach a system that can monitor a light beam of the light source 2507 after the light source 2507 is shut down. Udd merely teaches shutting down the light source 2507 when the light source controller 2533 receives an alarm (see column 20, lines 13-28). Further, there is nothing in FIG. 25 of Udd that teaches or suggests that power of an optical signal is reduced when the light source 2507 is shut down.

According to MPEP § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

It is submitted therefore that Udd does not teach the features as recited in claim 43 of the present invention.

Similar to claim 43, claim 44 recites, "reducing a power of the optical signal outputted by said modulating when receiving a wavelength alarm relating to a wavelength of the light beam, ..., wherein said light source keeps outputting said light beam when said shut-down device receives said wavelength alarm relating to a wavelength of the light beam." Thus, Udd also does not teach the features as recited in claim 44 of the present invention.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 43 AND 44 UNDER 35 U.S.C. § 103(A) AS BEING UNPATENTABLE OVER MIYAZAKI (USP# 6,040,931) IN VIEW OF MIYACHI ET AL. (USP# 5,920,414)

Miyazaki discloses a shut-off unit 26 shutting off an optical signal in case the monitored parameter does not satisfy a predetermined condition (in column 4, lines 38-42), a shut-down circuit 130 controlling the supply of a driving current to laser diode 30 from a driving unit 32 in accordance with a signal output by a judgment unit 24 (in column 8, lines 64-67), and a shut-down circuit 130 controlling a driving unit 32 so that the driving unit 32 reduces a magnitude of a driving current supplied to the laser diode 30 (in column 9, lines 9-12).

Here again, the Examiner asserts that it is "well-known" that when an optical signal is

shut down, power of that signal is reduced.

As indicated in the previous response, Miyazaki teaches shutting down the light-source unit 20 or the laser diode 30 in accordance with a signal output by the judgment unit 24, but fails to teach keeping the light-source unit 20 or the laser diode 30 outputting a light beam, and *reducing* a power of an optical signal outputted from a modulator in accordance with a signal output by the judgment unit 24. Miyazaki teaches that the shut-off unit 26 shuts off the optical signal in case the monitored parameter does not satisfy the predetermined condition. An optical signal not shut off by the shut-off unit 26 is output from an output port 28. Nothing in FIG. 3 of Miyazaki teaches or suggests that power of an optical signal is reduced when the light-source unit 20 or the laser diode 30 is shut down.

Therefore, Miyazaki and Miyachi, either alone or in combination, do not teach or suggest the features recited in claims 43 and 44.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

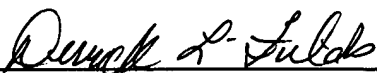
In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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